

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

KENNETH W. GERDES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-23-075-JAR
	)	
COMMISSIONER OF THE SOCIAL	)	
SECURITY ADMINISTRATION,	)	
	)	
Defendant.	)	

**ORDER REMANDING CASE FOR FURTHER PROCEEDINGS**

On March 2, 2023, Plaintiff filed the Complaint in this case, alleging that the Administrative Law Judge ("ALJ") should have determined Plaintiff to be disabled during the relevant period of time and awarded benefits. The parties consented to the United States Magistrate Judge's jurisdiction on March 10, 2023. Defendant filed the administrative transcript/answer on April 26, 2023. On August 9, 2023, Defendant filed the subject Unopposed Motion for Remand, requesting the case be remanded to Defendant pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings.

As stated in the Motion, Plaintiff does not oppose the remand of this case for the purposes outlined. This Court specifically finds the ALJ did not perform the analysis required by the prevailing case authority and Social Security regulations. As a result, this Court finds the ALJ erred in not doing so, thereby

warranting the remand of the case for consideration of the same.

IT IS THEREFORE ORDERED that Defendant's Unopposed Motion to Reverse and Remand for Further Administrative Proceedings Pursuant to Sentence Four of 42 U.S.C. § 405(g) (Docket Entry #16) is hereby **GRANTED**. Accordingly, the decision of the ALJ is hereby **REVERSED** and this case is hereby **REMANDED** to Defendant pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further administrative proceedings.

IT IS SO ORDERED this 18<sup>th</sup> day of August, 2023.

A handwritten signature in blue ink, appearing to read "Jason A. Robertson", is positioned above a horizontal line.

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JASON A. ROBERTSON  
UNITED STATES MAGISTRATE JUDGE